

REMARKS

This paper is responsive to the Office Action mailed February 3, 2006. In the Office Action, the Examiner objected to Claim 44 for an informality in the claim. Claims 30-44 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, and under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,359,661, issued to Nickum; Claims 30-33, 35-38, and 40-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,704,864, issued to Philyaw; and Claims 34, 39, and 44 were rejected as being unpatentable over Philyaw in view of U.S. Patent No. 6,523,067, issued to Mi et al.

Applicants respectfully request reconsideration of the application. The Nickum, Philyaw, and Mi references fail to teach or suggest the features recited in Claims 1-44. For the reasons discussed below, Claims 1-44 should be allowed.

Before discussing the patentability of Claims 1-44, the undersigned counsel wishes to thank Examiner Osman for the time and consideration he extended in a telephone interview conducted on May 1, 2006. In summary, the interview focused on the independent claims. The features recited in the claims were discussed relative to the prior art, and principally the Nickum reference. Examiner Osman explained his reading of the prior art, and it was agreed that applicants would respond to the Office Action with further explanation of the patentability of the claims.

Prior to discussing in detail the reasons why Claims 1-44 are allowable, applicants invite the Examiner to review the brief discussion of the present application provided in applicants' response filed December 19, 2005. This discussion of embodiments was provided to help the Examiner in understanding the context of the present application; however, it should not be

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construed to define the scope of any of the claims, nor should it be considered exhaustive in describing all the patentable features of the invention.

Objection to Claim 44

Claim 44 was objected to for a minor clerical error in which an instance of the word "that" should have read "than". Applicants thank the Examiner for noting this matter. By amendment presented herewith, this minor error has been corrected.

Claims 30-44 Are Enabled and Thus Satisfy 35 U.S.C. § 112, First Paragraph

Claims 30-44 are believed to fully comply with the enablement requirement of 35 U.S.C. § 112, first paragraph. The Office Action indicated a concern that the feature "determining an update vector as a function of..." in Claims 30, 35, and 40 was not enabled by the specification. Applicants refer the Examiner to page 29 of the present application, particularly lines 13-24, which describes an embodiment in which an update vector is determined. Reference to an "identifier" in this context is found at least on page 24, lines 1-5. In the telephone interview summarized above, the Examiner expressed a belief that this description in the specification addresses the concern raised in the Office Action and that the rejection under 35 U.S.C. § 112, first paragraph, would be withdrawn. Action to that end is requested.

Claims 30-44 Are Definite and Thus Satisfy 35 U.S.C. § 112, Second Paragraph

Claims 30-44 are also believed to fully comply with the definiteness requirement of 35 U.S.C. § 112, second paragraph. The Office Action indicated it was unclear how an identifier could be "more recent than" another identifier. Applicants have amended Claims 30, 35 and 40 to recite "identifiers in the revision history that are more recently assigned than the received identifier." This amendment is supported by the specification. See, e.g., page 24, lines 1-5 and page 28, lines 18-21, among other places. While this amendment is not believed to be required for purposes of patentability, the amendment makes explicit that which was already implicit in

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the claims. Accordingly, the rejection under 35 U.S.C. § 112, second paragraph, should be withdrawn.

Claims 1-29 Are Patentable Over Nickum

Applicants have carefully considered the Nickum reference and the discussion in the Office Action, and respectfully disagree with the claim rejections.

Claims 1-6

For the convenience of the Examiner, Claim 1 is repeated as follows:

1. A method of controlling access to content in a multimedia communication network system having a plurality of access devices, the method comprising:

receiving configuration information related to a user object from a user via an access device of the plurality of access devices, the configuration information defining multimedia content that can be accessed by instantiating the user object in an access device; and

providing the received configuration information from the multimedia communication network system to another access device of the plurality of access devices.

In support of the rejection of Claim 1, the Examiner cited Nickum at col. 1, line 55 to col. 2, line 35; col. 5, lines 1-10 and 45-67; and col. 7, lines 34-60 as allegedly disclosing the claim element “receiving configuration information related to a user object from a user via an access device of the plurality of access devices, the configuration information defining multimedia content that can be accessed by instantiating the user object in an access device.” The Examiner further cited Nickum at col. 5, lines 1-10 as allegedly disclosing the claim element “providing the received configuration information to another access device of the plurality of access devices.” (Office Action, pages 4-5).

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After carefully reviewing the cited passages and indeed the entire disclosure of Nickum, applicants do not find that Nickum discloses these elements of the claimed invention. Nickum is concerned with a television system in which remote control devices can be configured to provide individual users with independently configured access to television programming. While profile information for users are maintained in Nickum, there is no discussion of organizing the profile information into user objects that can be instantiated in an access device and provided to another access device of a plurality of access devices. The cited passage at col. 5, lines 1-10 of Nickum merely discloses that the system can include multiple remote control devices and multiple user id's in the devices. This passage does not anticipate the above-recited element of Claim 1.

In the telephone interview, the Examiner suggested that the user with the "master control user id" in Nickum could separately program different remote control devices by hand. While that may be true, Nickum does not suggest that the user would program the different remote control devices with the same user profile information for the same users. Quite to the contrary, the disclosure of Nickum teaches the concept of providing different users with their own remote control, whether by way of separate remote control devices, or by way of a shared remote control device.

Applicants submit that Claim 1, without amendment, is patentable over the prior art. Nickum does not teach the claimed "providing the received configuration information to another access device of the plurality of access devices." Also, repeated programming by hand of different remote control devices in Nickum is just that--repeated programming by the user. It is not "providing the [previously] received configuration information to another access device of the plurality of access devices." However, to further emphasize this point, applicant has amended Claim 1 to recite "providing the received configuration information from the

multimedia communication network system to another access device of the plurality of access devices," which is clearly not taught by Nickum.

Absent a teaching of all the elements of Claim 1, a *prima facie* case of anticipation cannot be shown. Accordingly, Claim 1 should be allowed.

In support of the rejection of Claim 2, the Examiner cited one of the same passages as above (col. 7, lines 34-60) as allegedly further disclosing the claim element "receiving revised configuration information related to the user object via an access device of the plurality of access devices and providing the received revised configuration information to all of the access devices of the plurality of access devices." Applicants do not agree. Nickum does not teach providing revised configuration information for a user object to all of the access devices of a plurality of access devices, neither in the above-cited passage or elsewhere. Accordingly, Claim 2 is not anticipated by Nickum and should be allowed.

As for Claim 3, the Examiner again cited the same passage as above (col. 7, lines 34-60) as allegedly further disclosing the claim element "receiving configuration information related to a plurality of user objects via one or more of the access devices of the plurality of access devices and providing the configuration information to all of the access devices of the plurality of access devices." As discussed above, Nickum teaches nothing about providing user object configuration information to all of the access devices of a plurality of access devices. Accordingly, applicants submit Claim 3 is patentable over Nickum.

Claim 4 depends from Claim 3 and further recites "assigning a ticket number to the revised configuration information." Claim 5 depends from Claim 4 and further recites "storing the ticket number in a revision history in the multimedia communication network system." Claim 6 depends from Claim 5 and further recites "wherein the revision history is stored in a server of the multimedia communication network system."

For the reasons discussed above, Nickum does not anticipate all the elements recited in Claim 3 nor in Claim 1. The deficiency of disclosure in Nickum is not cured by any of the other cited references. Further, as discussed with respect to Claim 18 below, Nickum at best teaches a procedure in which a user can set up viewing group with a set of channels that can be accessed when the viewing group is later selected. The concept of setting up a viewing group of channels, as taught by Nickum, does not suggest (either inherently or explicitly) the claimed aspects of assigning and storing ticket numbers in a revision history for the user object configuration information. Claims 4-6 are patentable over Nickum.

Claims 7-12 and 13-17

Claims 7-12 and 13-17 recite a control system and a machine-readable medium, respectively. Claim 13 has not been amended. The preamble in Claim 7 has been amended only to improve grammatical form by replacing the word "of" with "for." The amendment does not narrow the scope of the claim, nor is it required for purposes of patentability.

The control system in Claim 7 includes "means for receiving configuration information related to a user object from a user via an access device of the plurality of access devices, the configuration information defining multimedia content that can be accessed by instantiating the user object in an access device" and "means for providing the received configuration information to another access device of the plurality of access devices." These elements of a control system with the above-recited means are not described by Nickum. Claim 7 should be allowed.

The machine-readable medium in Claim 13 contains instructions that, when executed by a machine, cause the machine to perform operations that include "receiving configuration information related to a user object from a user via an access device of the plurality of access devices, the configuration information defining multimedia content that can be accessed by instantiating the user object in an access device" and "providing the received configuration

information to another access device of the plurality of access devices." These elements of a machine-readable medium with instructions that cause a machine to perform as recited above are not described by Nickum. Claim 13 should be allowed.

Additionally, to the extent that Claims 7-12 and 13-17 include elements similar to those discussed above with respect to Claims 1-6, the arguments presented above with respect to Claims 1-6 are similarly applicable to Claims 7-12 and 13-17.

For the reasons expressed above, Claims 7-12 and 13-17 are also in allowable condition.

Claims 18-29

Claim 18, which has not been amended herein, recites as follows:

18. A method of providing configuration information related to a user object of a multimedia communication network system having a plurality of access devices, the configuration information including values for a plurality of configuration parameters, the method comprising:

receiving a portion of the configuration information related to a user object from a user via an access device of the plurality of access devices;

assigning a ticket number to the received portion of the configuration information;

storing the ticket number in a revision history; and

providing the ticket number to the access device.

In support of the rejection of Claim 18, the Examiner cited the same passage of Nickum as discussed above (col. 7, lines 34-60) as allegedly disclosing all of the claim elements "receiving a portion of the configuration information...", "assigning a ticket number...", "storing the ticket number...", and "providing the ticket number...". (Office Action, page 6).

As discussed above, applicants have carefully reviewed Nickum, including the cited passage, and do not find disclosure that anticipates the elements in the claims. At best, Nickum teaches a procedure in which a user can set up viewing group having a set of channels that, when selected, the channels in the viewing group can be accessed. The concept of setting up a viewing group of channels, as taught by Nickum, does not suggest the claimed aspects of assigning and storing ticket numbers in a revision history for the user object configuration information. Moreover, neither Philyaw nor Mi teach the claimed aspects of assigning/storing/providing ticket numbers for user object configuration information. Claim 18 should be allowed.

In support of the rejection of Claim 19, the Examiner cited Nickum at col. 7, lines 34-60 and col. 4, lines 1-55 as allegedly further disclosing the claim element "setting a bit in a bit vector, the bit vector having a plurality of bits each being associated to a corresponding configuration parameter of the user object; wherein the set bit indicates the configuration parameter associated with the received configuration information; and providing the bit vector to the access device." These passages in Nickum discuss do not teach or suggest a bit vector implementation for configuring a user object, as claimed. Claim 19 is not anticipated by Nickum.

As for Claim 20, the Examiner again cited Nickum at col. 7, lines 34-60 and col. 4, lines 1-55. As discussed above, these passages concerns setting a viewer group and programming a remote control. The concept of a revision history having a fixed size, as claimed, is not disclosed. Something that is "fixed" into memory does not necessarily have a "fixed size," as claimed. Applicants submit that Claim 20 is patentable over Nickum.

As for Claim 21, the Examiner cited Nickum at col. 5, lines 1-10. This passage concerning remote devices having multiple unique user id's does not teach the claimed aspect of

"providing the portion of the configuration information to a second access device of the plurality of access devices." Accordingly, applicants submit Claim 21 is patentable over Nickum.

Claims 22-25 and 26-29 recite an update system and a machine-readable medium, respectively, that include elements similar to those discussed above with respect to Claims 18-21. For the same reasons expressed above, Claims 22-25 and 26-29 are also in allowable condition.

As a minor point, the preamble in Claim 22 has been amended to correct a clerical error by replacing the word "method" with "system." The amendment does not narrow the scope of the claim; rather, it only improves the internal consistency of the claim.

Claims 30-33, 35-38, and 40-43 Are Patentable Over Philyaw

Claim 30 recites as follows:

30. A method of providing updated configuration information related to user object of a multimedia communication network system having a plurality of access devices, the configuration information including values for a plurality of configuration parameters, the system including a revision history configured to store identifiers and bit vectors associated with updates to the configuration information related to the user object, the method comprising:

receiving an identifier from an access device of the plurality of access devices;

determining an update vector as a function of the received identifier and any identifiers in the revision history that are more recently assigned than the received identifier; and

providing the update vector to the access device.

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In support of the rejection of Claim 30, the Examiner cited Philyaw at col. 26, line 50 to col. 27, line 20 as allegedly disclosing the claim element "receiving an identifier from an access device of the plurality of access devices," and cited col. 28, line 55 to col. 29, line 40 as allegedly disclosing "determining an update vector as a function of the received identifier and any identifiers in the revision history that are more recently assigned than the received identifier."

Applicants disagree with the claim rejection. To observe the patentability of Claim 30, applicants request the Examiner to bear in mind the context of these claim elements. The system in which the claimed method is implemented includes a system having "a revision history configured to store identifiers" and "bit vectors associated with updates to configuration information related to a user object." The above-cited passages of Philyaw do not teach or suggest "receiving an identifier..." and determining an update vector..." as claimed. While Philyaw discusses automatic configuration of computer equipment, including the use of updated device drivers or software application updates, the disclosure in Philyaw fails to teach or suggest anything relating to receiving configuration information related a user object from a user via an access device in a system having a plurality of access devices.

The Examiner also cited Philyaw at col. 29, lines 1-10 and 30-40 as allegedly disclosing "providing the update vector to the access device," but without any disclosure of an update vector as claimed, Philyaw cannot anticipate this aspect of the claim. In the cited passage, Philyaw discloses a menu from which a user may select a variety of versions of device drivers for installation on a PC, but this is not equivalent to providing an update vector to an access device, as claimed. Accordingly, for the above reasons, applicants submit that Claim 30 is patentable over Philyaw.

As for Claim 31, the Examiner cited Philyaw at col. 26, lines 10-30 and col. 29, lines 1-10 and 30-40 as allegedly further disclosing the claim element "providing a portion of updated

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configuration information to the access device at the request of the access device, wherein the access device generates the request in response to the update vector." Applicants do not find this aspect disclosed by Philyaw. A *prima facie* case for anticipation has not been shown. Applicants submit Claim 31 is patentable over Philyaw.

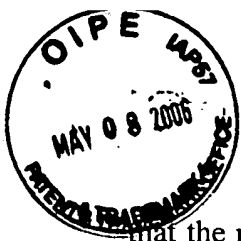
As for Claim 32, the Examiner again cited Philyaw at col. 29, lines 1-10 and 30-40 as allegedly further disclosing the claim element "providing to the access device the most recent identifier of the identifiers used in determining the update vector." As discussed above, Philyaw does not anticipate this element. Philyaw's disclosure of maintaining different versions of software drivers and other applications is not equivalent to teaching a process of determining an update vector using identifiers, as claimed in Claim 32. Accordingly, applicants submit that Claim 32 is patentable over Philyaw.

Turning to Claim 33, the Examiner again cited Philyaw at col. 29, lines 1-10 and 30-40 as allegedly further disclosing the claim element "wherein determining the update vector further comprises generating the update vector as a function of the bit vectors associated with the identifiers that are more recent than the received identifier" As discussed above, Philyaw teaches nothing about generating update vectors as a function of bit vectors, as claimed. Accordingly, applicants submit Claim 33 is patentable over Philyaw.

Claims 35-38 and 40-43 recite a machine-readable medium and an update system, respectively, that include elements similar to those discussed above with respect to Claims 30-33. For the same reasons expressed above, Claims 35-38 and 40-43 are also in allowable condition.

Claims 34, 39, and 44 Are Patentable Over Philyaw in view of Mi

Claim 34 depends from Claim 33 and further recites "the function of the bit vectors comprises the logical-OR of the bit vectors associated with the identifiers that are more recent



that the received identifier." For the reasons discussed above relative to Claim 33, Claim 34 is patentable over Philyaw, and Mi does not cure the deficiencies of disclosure in Philyaw. Moreover, Mi's use of a logical OR operation is not applied in the context of generating an update vector as a function of bit vectors associated with identifiers for revised user object configuration information, and therefore is not combinable with Philyaw. Claim 34 is patentable over Philyaw and Mi, as are Claims 39 and 44 for similar reasons.

CONCLUSION

Applicants submit that all of the claims in the present application are patentably distinguished over the teachings Nickum, Philyaw, and Mi. Applicants respectfully request reconsideration and allowance of the application. If the Examiner has any remaining questions concerning this application, the Examiner is invited to directly contact the undersigned attorney.

Respectfully submitted,

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KLM :sdd